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Date: March 20, 2006	
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Re: Serial No: 09/942,350	Pages: Cover +

Henry Brendzel


TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Complete if Known	
		Application Number	09/942,350
		Filing Date	8/29/2001
		First Named Inventor	Steve L. Cohen
		Examiner Name	Duc Nguyen
		Group/Art Unit	2643
Total number of pages in this Submission: this page, plus		Attorney Docket ID	Cohen 380 Reissue

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ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	Henry T. Brendzel	
Signature		Date 2/17/06

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**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE****Patent Application**

Inventor(s)	Steve L. Cohen Michael Davitt Leonard Matulewski Alan B. Moshinsky Kathleen T. Quinn Usha Rao	Case Name	Cohen 380 Reissue
Filing Date	8/29/2001	Serial No.	09/942,350
Examiner	Duc Nguyen	Group Art Unit	2643
Title	Communications System and Method with Call Expenditure Control		

COMMISSIONER FOR PATENTS
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SIR:

REMARKS

This is in response to an Office action dated 2/14/2006, where a FINAL rejection is lodged based, effectively, on the assertion that the declaration is defective. Applicants respectfully traverse.

The Detailed Action raises three issues:

1. The declaration is defective because it does not include a statement that the person signing the declaration "has reviewed and understands the contents of the specification **including the claims**" (emphasis in the Examiner's original statement).

Response: Factually, that is incorrect. At page 2, lines 2-4, of the Declaration filed September 9, 2004 it states

We hereby state that we have reviewed and understand the contents of the above-identified application, **including the claims as amended or added to by the preliminary amendment.** (emphasis supplied)

Thus, contrary to the Examiner's statement, the Declaration DOES a reference to the claims as well as to the specification.